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# Interim Systemwide Time, Place and Manner Policy

## I. Statement of Values

The California State University (CSU) seeks to foster healthy discourse and exchange of ideas in a safe and peaceful manner, by sustaining a learning environment that supports the free and orderly exchange of ideas, values, and opinions, recognizing that individuals grow and learn when confronted with differing views, alternative ways of thinking, and conflicting values. The search for knowledge requires the freedom to speak openly about concerns and issues. All members of the University<sup>1</sup> community and the public are free to lawfully exercise their right to freedom of expression on University Property within the rules and regulations established by this Policy.

Freedom of expression is a cornerstone of a democratic society and is essential to the educational process. Institutions of higher education have a special obligation to encourage and support the free expression of ideas, values, and opinions, even where they may be unpopular or controversial. The University accepts and embraces this obligation, recognizing that such expression may take a variety of forms, including, but not limited to, speeches, signs, written materials, assemblies, parades, marches, demonstrations, protests, and artistic representation.

Acknowledging the significant role the unfettered exchange of information and ideas plays in learning and in a free society, the University shall ensure that individuals and groups have wide latitude to lawfully exercise the right of free expression and that their constitutionally protected right to free expression is not abridged. Freedom of expression, however, is not an absolute right. It coexists with other rights and the need for public order and safety. The exercise of freedom of expression and assembly rights must comply with all applicable federal, state, and local laws, and University policies, including CSU's [Nondiscrimination Policy](#). Prohibited activity not protected by the First Amendment nor permitted by this Policy includes but is not limited to unlawful discrimination, harassment, defamation, terrorist threats, false advertising, vandalism, property damage, trespass, occupation of a building or facility, refusal to disperse, or the promotion or incitement of actual or imminent violence or harm.

All members of the University community should recognize that causing discomfort or causing offense

is not a basis for the University to limit free expression. At the same time, we must recognize that freedom of expression includes a responsibility to respect the dignity of others, to acknowledge the right of others to express differing opinions, and to do so in a lawful manner. Sometimes, freedom of expression activities (including posted or published materials) direct hurtful and/or hateful messages toward an individual or group. While there will be disagreements over what may constitute acceptable or appropriate comment, there can be no question, particularly in a university setting, that freedom of expression, as guaranteed by the First Amendment, is a cherished and protected right. Accordingly, the University promotes expression of differing points of view and the right to express oneself. While one may find certain expressions or materials to be quite offensive or even insulting, the appropriate way to counteract such materials is through discourse, criticism, and the expression of contrary points of view. Freedom of expression is allowed and supported as long as it does not violate other laws or University policies and procedures.

CSU's [Academic Freedom Policy](#) sets forth the meaning of Academic Freedom and is incorporated into this Policy. It is the policy of the CSU to support Academic Freedom, and the CSU will ensure that instructional faculty are entitled to full freedom in research and in the publication of the results. Instructional faculty are entitled to academic freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Faculty should be clear that when they are expressing their views as private citizens they are not acting as an institutional spokesperson and should show proper restraint and respect for the opinions of others, which may differ from their own.

## II. Purpose

To support and achieve its educational mission and educational access for all, the CSU has an obligation to maintain an environment in which the operations of the University can be conducted without disruption, in accordance with the highest standards of institutional integrity, academic freedom, freedom of expression, and recognition of the rights, privileges and responsibilities of University community members and Non-Affiliates. The purpose of this systemwide Policy is to facilitate academic freedom, freedom of expression, and CSU's educational mission while protecting the right to learn and work in a safe environment.

The CSU may establish rules and regulations for the government and maintenance of the buildings and grounds of the CSU (Cal. Education Code § 89031). This Policy establishes these rules and regulations and governs the use of all University Property throughout all Universities and the Chancellor's Office and applies to all persons and groups accessing or using University Property, including all Students, Employees, recognized CSU auxiliary organizations and their employees, and Non-Affiliates. This Policy applies to all forms of expressive activity conducted on University Property and sets forth time, place, and manner regulations to ensure that persons and groups engaging in lawful expressive activities are protected and do not disrupt University operations or infringe on the rights of others. All persons and groups accessing or using University Property must abide by all applicable CSU policies and the law.

The CSU recognizes that some actions will disrupt the orderly operations of the University and/or raise significant security or safety concerns. While the University may not limit the content or viewpoints of what is expressed on University Property, including at assemblies, marches, protests and

demonstrations, the University may limit when, where and how these activities take place through Content and Viewpoint Neutral time, place, and manner restrictions.

This Policy will be enforced to ensure the safety and wellbeing of the University community while protecting lawful free expression activities and sets forth the consequences for those who violate this Policy, related policies, or applicable federal, state, or local laws. All criteria for assessing events, activities, incidents, and violations under this Policy shall be applied in a Content and Viewpoint Neutral manner. Every person who violates or attempts to violate these rules and regulations is guilty of a misdemeanor (Cal. Education Code § 89031).

The Chancellor's Office and each University will publish a [Campus Addendum](#) (included with this Policy) setting forth additional Campus-specific time, place, and manner regulations and other information. Except where noted or where other policies are incorporated by reference, this Policy and each [Campus Addendum](#) are the controlling documents regarding the CSU's systemwide time, place, and manner policy and regulations, and supersede all previous time, place and manner policies and regulations.

This Policy is not intended to interfere with the statutory rights provided by the Higher Education Employer-Employee Relations Act (HEERA) or the terms of an applicable Collective Bargaining Agreement and does not prohibit CSU unions from communicating with their members regarding union-related activities or engaging in protected or concerted activities otherwise allowed under HEERA or an applicable Collective Bargaining Agreement.

### III. Scope

This Policy applies to all persons and groups who access and use University Property, including Non-Affiliates:

- A. All use and activities must be conducted in conformance with all applicable federal, state, and local laws, as well as all University policies, procedures, and regulations.
- B. All use and activities must not disrupt University operations and events, or academic classes and activities.
- C. Conduct and/or statements that constitute unlawful discrimination, harassment, retaliation, or stalking are not protected by academic freedom or freedom of expression and may be actionable under CSU's [Nondiscrimination Policy](#), as well as applicable civil or criminal laws. The University must provide a nondiscriminatory educational and working environment.
- D. During certain University events (e.g., commencement, open house, orientation, convocation, and homecoming), priority will be given to those event-related activities over other activities that are not related to prioritized University events.
- E. Access to and use of certain University Property must be scheduled and/or registered in advance, as more fully set forth in each [Campus Addendum](#). Certain uses of University Property may be subject to fees, require liability insurance, and/or an indemnity agreement which must be provided by those who seek to engage in such uses. The University reserves the right to charge reasonable fees (e.g., security, rent, custodial, insurance) for activities and events on a Content and Viewpoint Neutral basis.
- F. All users assume responsibility for all damage they cause to University Property. Failure to pay

for damage to University Property may jeopardize future access to and/or use of University Property and can result in discipline for Students and Employees, and sanctions for Non-Affiliates, as well as civil or criminal action.

- G. Each University's President and Chief of Police or designee will determine the type of security or mutual aid necessary for all activities and events based on the public safety needs of any event or incident on or around University Property. Each event or incident will be considered on a case-by-case basis to determine appropriate staffing and other security and safety measures.

## IV. Public, Limited, and Non-Public Areas

For purposes of the time, place, and manner regulations set forth in this Policy and each [Campus Addendum](#), the following terms shall apply:

### A. Public Areas

A Public Area is University Property that is available for assemblies, marches, demonstrations, and protests. Right of access and equality of access are provided in these areas, so long as activities are lawful and do not disrupt University operations. Content-based restrictions are prohibited, but reasonable time, place and manner regulations will be applied. Spontaneous activities may take place in Public Areas without pre-scheduling or reservations except when Public Areas are reserved for specific uses and not available for general public use or spontaneous activities, as determined by the University. **See the applicable [Campus Addendum](#) for details regarding Campus-specific Public Areas.**

### B. Limited Areas

A Limited Area is University Property that is available to the public but due to business operations, safety concerns, or other important University interests, is not open for purposes of assembling, marching, demonstrating or protesting. Activities in these areas may require scheduling and/or reservations with the University, and are available on a limited basis, subject to campus regulations that are narrowly tailored to address the University's legitimate business interests. **See the applicable [Campus Addendum](#) for details regarding Campus-specific Limited Areas.**

### C. Non-Public Areas

Except for areas designated as Public Areas and Limited Areas, all remaining University Property, including the interiors of buildings and facilities are Non-Public Areas. These areas are not open to the public and the University can restrict access to Non-Public Areas on a Content and Viewpoint Neutral basis. **See the applicable [Campus Addendum](#) for details regarding Campus-specific Non-Public Areas.**

## V. Assemblies, Marches, Demonstrations and Protests

Individuals and groups may assemble, march, demonstrate, and protest on University Property in Public Areas at all times **except** outside the posted operating hours for each University (see [Campus](#)

[Addendum](#)), when reserved by other users, or as otherwise prohibited by this Policy, to engage in speech and expression, including the solicitation of signatures on noncommercial petitions, provided such activities do not disrupt the functions, operations, and events of the University or interfere with the rights of others, including, but not limited to, compelling persons to be an involuntary audience or jeopardizing the safety of persons or property. Those engaged in the exercise of free speech and assembly rights shall not:

- A. Disrupt class instruction or other scheduled academic, educational, or cultural/arts programs, speakers or performers on University Property, or the use of University libraries, other approved University Property uses and reservations, or other University resources or operations.
- B. Obstruct pedestrian or vehicular traffic, or otherwise endanger persons or property.
- C. Conduct their activity in or on University parking lots, parking structures, driveways, crosswalks, exits, fire lanes, streets, roadways, and/or obstruct walkways, doorways, passageways, or otherwise deny a person access to normally unrestricted University Property, or in any manner that blocks paths of vehicular or pedestrian travel.
- D. Employ sound amplification (including but not limited to bullhorns or electronic speakers) that disrupts University activities, academic instruction, or interferes with the exercise of free speech by others or create noise in violation of local noise ordinances. See the applicable [Campus Addendum](#) for more information regarding sound amplification and local noise ordinances.
- E. Engage in removal, relocation, theft, damage, or destruction of any University Property.
- F. Harass or intimidate any person, or impede or restrict the free movement of any person.
- G. Create or cause unsafe conditions or congestion around doorways, entrances or exits, stairways, elevator lobbies, and escalators.
- H. Fail to comply with directives of a University official acting in the performance of their duties. A "directive of a University official" includes an order to disperse because of an unlawful assembly, riot or unsafe condition. Failure to obey such an order may result in a determination that participants are engaging in an unlawful assembly, riot or unsafe condition and will result in the University exercising its authority to invoke emergency incident response tactics. These tactics could include the use of law enforcement resources, and could result in arrests, Employee and Student discipline, and appropriate sanctions against those participating in the unlawful assembly or riot.
- I. Picket, rally, protest, parade, patrol, or otherwise demonstrate in the interior, indoor, or private portions of any University *housing* facility, including the residence of any University Employee on University Property when it is serving as a private residence and no public events are taking place.

## VI. Scheduled Events and Demonstrations

Scheduled events and demonstrations may be held in Public Areas and in certain Limited Areas of the University. University Students, Employees, Recognized Student Organizations, and recognized CSU auxiliaries have priority over Non-Affiliates in scheduling events and demonstrations. **See the applicable [Campus Addendum](#) for details regarding Campus-specific scheduling and registration procedures.**

## VII. Spontaneous Activities, Unscheduled Events and Demonstrations

Spontaneous Activities, unscheduled events and demonstrations may be held in Public Areas and certain Limited Areas (as provided by the applicable [Campus Addendum](#)), without scheduling or reservations, so long as they do not disrupt scheduled events, violate University policies or applicable federal, state, or local laws, and do not disrupt University operations. It is the intent of this Policy to ensure that all activities, events, and demonstrations occur with no risk or threat to the safety and security of persons or University Property.

It is a violation of this Policy to circumvent these time, place, and manner regulations by falsely claiming that an event or demonstration is spontaneous. In deciding whether an event or demonstration is spontaneous or planned, the University may consider factors that include but are not limited to (a) whether signs or placards used at the demonstration were commercially produced, (b) whether participants used amplified sound equipment, (c) whether media was contacted, substantially in advance of the demonstration, or (d) whether other factors or circumstances, including social media communications or advertising, demonstrate advance planning by one or more individuals and/or organizations.

In the event of multiple groups or individuals attempting to use Public Areas at the same time and place, priority shall be given in the following order: (1) previously scheduled (in compliance with this policy) events and demonstrations; (2) events and demonstrations conducted by recognized University organizations, Students, Recognized Student Organizations, current Employees, CSU Employee unions, and CSU auxiliaries; and (3) on a first-come, first-served basis.

## VIII. Prohibited Activities and Uses on University Property

### A. No Disruption or Interference with the Speech of Others (Heckler's Veto Prohibited)

Individuals or groups may not suppress the speech of another individual by shouting down or otherwise drowning out or preventing the individual from being heard, otherwise known as a "heckler's veto." Individuals may protest speakers on Campus with whom they disagree, but they may not do anything that prevents the speaker from expressing their views or prevents members in the audience from hearing or seeing the speaker. This prohibition also applies to the removal or erasure of written or printed expressive activities that are otherwise in compliance with this Policy and the applicable [Campus Addendum](#).



## B. No Camping, Overnight Demonstrations, Overnight Loitering, Furniture, or Large Household Items

To ensure the health and safety of the entire University community, and to protect University Property, encampments of any kind, overnight demonstrations (e.g., outside the operating hours of each University), and overnight loitering are not permitted in or on any University Property, whether indoors or outdoors. No one may camp, occupy camping facilities (including recreational vehicles or any other similar vehicles), use camping paraphernalia, or store personal property on University Property for these purposes. No one may bring a tent or other housing structure on University Property or occupy any tent or housing structure. No one may set up a campsite on University Property. Other than as allowed in University residential housing or as permitted for Employees in their University workspaces, no one may bring, leave, or maintain furniture or other large household items on University Property, or bring or maintain large personal belongings or copious amounts of personal belongings without University authorization. For purposes of this section, "large household items," "large personal belongings," and "copious amounts of personal belongings," means anything that cannot be carried on the person. "Storage of personal possessions" means leaving items unattended that are not in the owner's immediate personal custody and control. Such unauthorized activities, including overnight activities utilizing vehicles, will be considered trespassing and a violation of this Policy. *This prohibition does not apply to overnight activities authorized by the University for official University business and academic activities, or University business operations.*

## C. No Temporary or Permanent Structures, Walls, Barriers, Barricades, Furniture, or Other Objects

Except as authorized by the University, no one shall build, construct, erect, place, set up, move, deliver or maintain any temporary or permanent tent, platform, booth, bench, building, building materials (such as bricks, pallets, etc.), wall, barrier, barricade, fencing, structure, sculpture, bicycle rack or furniture on University Property. This prohibition does not apply to activities allowed under a [Campus Addendum](#) and subject to time, place, and manner regulations set forth in this Policy. Any unauthorized item is subject to immediate removal.

## D. No Unauthorized Vehicles

Unauthorized commercial vehicles, moving vans or trucks, carts, carriages, trailers, wagons, buses, or other vehicles of conveyance designed for or used to transport persons or property and/or used in violation of this Policy are prohibited.

## E. University Operating Hours

No one shall enter or otherwise remain on University Property between the hours specified in each University's [Campus Addendum](#), or at such other times as published or posted by University housing and residential programs, and other similarly specialized University programs. This prohibition shall not apply to persons with valid written authorization from a University official, persons on legitimate University

business, or persons attending a specific University sponsored event. Those persons with legitimate University business reasons, possessing a valid written authorization, or attending a University sponsored event, shall be allowed to remain and access the facilities as allowed in their authorization or through the duration of the specific event, after which time they shall leave University Property without any appreciable delay. This prohibition shall not apply to persons transiting on a roadway or path designated as open to the public. **See each [Campus Addendum](#) for designated University Property.**

## F. No Disguises or Concealment of Identity

Wearing masks or face coverings is permissible for all persons who are complying with University policies and applicable laws. **However, no person, while on University Property, may wear a mask, personal disguise, or otherwise conceal their identity with the intent of intimidating and harassing any person or group, or for the purpose of evading or escaping discovery, recognition, or identification in the commission of violations of applicable University policy or local, state, or federal laws.** No person shall refuse to identify themselves while on University Property to University officials who are acting in the performance of their duties in situations where assistance or intervention is needed. For all persons who in the judgment of a University official are in violation of a University policy or the law, the University reserves the right to require such persons, including Students, Employees, and Nonaffiliates, to show identification when requested to do so by a University official. Failure to provide identification in this circumstance is itself a violation of this Policy and may also be a criminal violation (see e.g., Cal. Pen Code section 185).

## G. No Firearms or Weapons

While on University Property, no person (with the exception of authorized law enforcement officers) shall possess, carry or have control of any firearm, gun, or replica, whether loaded or not, unless it is with the written permission of the University President or designee, such as the University Chief of Police, or equivalent University official. All weapons are prohibited on University Property by California Penal Code sections 626.9 and 626.10. No person while on University Property shall possess, carry, or have control of any weapon defined as:

1. Any knife that has a blade longer than two and one half inches or opens automatically (except for culinary knives used for authorized University dining or catering operations, as part of an authorized academic class or lab and only when used in those circumstances, or in a University residence for culinary purposes).
2. Any dirk, dagger, or ice pick.
3. Any razor with an unguarded blade.
4. Taser or stun gun.
5. Ammunition.
6. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure or spring action. (Cal. Penal Code § 20170.)
7. Other items including nun chucks, brass knuckles, machetes, swords, and darts.
8. Placards or signs with any type of stick or stake that could be used as potential weapons.



## **H. No Fires or Fireworks**

No one shall start, use or maintain campfires, portable stoves, fire pits, open fires, torches, fireworks, or any other fire or fire apparatus on University Property except as expressly authorized by the University, and subject to requirements regarding location, time, and fire safety precautions as the University, the State Fire Marshal, or local fire authority may impose.

## **I. No Explosive Materials**

No one shall bring any explosive material (as defined in section 12000 of the California Health and Safety Code) or flammable material (as defined in section 12504 of the California Health and Safety Code) or any hazardous or flammable materials (as defined by the regulations adopted pursuant to section 2402.7 of the California Vehicle Code) onto University Property, regardless of whether or not the material is burning, except such materials that are transported in approved containers and necessary for the conduct of the operations of the University, including fuel necessary for the operation of a University vehicle or any University equipment of a vehicle.

## **J. No Ambushing or Lying in Wait**

It is prohibited on University Property to engage in, participate in, or assist participants in any game or activity which involves the ambushing, lying-in-wait for, or following another person by means of stealth; or to participate or assist in the participation in any game or activity which would involve the firing of any device as defined in paragraph G above.

## **K. No Shooting of Arrows, Missiles, or Projectiles**

It is prohibited on University Property to shoot any arrow, projectile, or similar missile, and/or to permit any arrow, projectile, or similar missile to be shot on or around University Property, except as part of a University course of study or official University sponsored activity.

## **L. No Chemical Sprays, Gas Masks, Body Armor, Shields, or Laser Pointers**

No mace, pepper spray, chemical sprays or liquids, shields, body armor, gas masks, or laser pointers, except as used for legitimate academic and teaching purposes, and by law enforcement as permitted by applicable University Police Department policy. This prohibition does not apply to personal possession of mace or pepper spray devices used for the lawful purpose of personal protection (self-defense) in an emergency.

## **M. No Human Urination or Defecation**

Human urination or defecation in any place other than a designated restroom or other facility designed for the sanitary disposal of human waste is prohibited.

## N. No Unauthorized Climbing, Scaling, or Rappelling

Unauthorized climbing, scaling, or rappelling any tree, building, structure, facility, light poles, signage, fences, or walls on University Property is prohibited.

## IX. Activities and Uses on University Property Requiring Written Permission

The following activities and uses are prohibited unless prior written permission from the appropriate University official is obtained, or as otherwise provided in each [Campus Addendum](#).

- A. Posters, signs, banners, and chalking. See [Campus Addendum](#).
- B. No unmanned aircraft system (UAS) (also known as a drone) may be flown from, on or around University Property without the express written approval of the University. See [Campus Addendum](#).
- C. Use of University Property for commercial purposes is prohibited unless prior written permission has been obtained from the University.
- D. University flagpoles are reserved for official University use only. Flags flown on outdoor, permanently installed flagpoles located on University Property serve as a means of expression of the University's official sentiments as determined by the University President or the Chancellor, as applicable. They are not a forum for free expression or expressive conduct by members of the University community or the public.
- E. Additional activities and uses not included above may be addressed in the applicable [Campus Addendum](#).

## X. Non-Affiliates on University Property

This Policy applies to the conduct of persons who are *not* Students, Employees, or CSU recognized auxiliary organizations and their employees (Non-Affiliates), including when that conduct is a threat to the safety of persons or property or constitutes disruption or interference with functions, activities, or operations of the University. All Non-Affiliates engaging in any demonstration, protest, assembly, gathering, march, rally, or any other expressive activity in or upon University Property are subject to this Policy. This Policy will not be utilized to impinge on the lawful exercise of constitutionally protected rights of freedom of speech or assembly, or the constitutionally protected right of personal privacy of Non-Affiliates.

Non-Affiliates shall not remain on University Property if directed to leave University Property by the University to maintain order on University Property, upon the reasonable determination of the University that the Non-Affiliate is committing an act that is likely to interfere with the peaceful conduct of the University's functions or operations or has entered University Property with the purpose of committing any such act. Non-Affiliates on University Property shall not:

- A. Knowingly and willfully interfere with the peaceful conduct of the activities of the Campus or facility by intimidating, harassing, or obstructing any University Employee, Student, or any other

person.

- B. Delay or linger without lawful purpose for being on University Property and for the purpose of committing a crime or violation of University policy.
- C. Use University Property not open to the public, including but not limited to, residence halls, offices, showers, storage lockers, study lounges, or recreational facilities, without authorization from the University.

## **XI. University Response to Activities that Violate this Policy, Threaten Safety, or Disrupt University Activities**

### **A. Supportive Measures and Resources**

Free speech rights include protecting a person's free speech rights even when their speech may cause discomfort for some individuals. As long as speech does not constitute an actual threat, an immediate incitement to violence, unlawful discrimination or harassment (as defined in CSU's [Nondiscrimination Policy](#)), or other unlawful activity, the University will protect the First Amendment rights of the speaker. Students and Employees who believe they have been subjected to harassing speech that is so severe or pervasive that it limits or denies their ability to participate in or benefit from the University's programs or activities, should report their concerns to the University's official charged with enforcing [CSU's Nondiscrimination Policy](#). The University will assess the matter pursuant to the procedures set forth in the CSU's [Nondiscrimination Policy](#) and will provide reasonable supportive resources to the affected Students and Employees.

Even if the activity is deemed protected speech and does not violate CSU's [Nondiscrimination Policy](#), or applicable laws, the University's official charged with enforcing CSU's [Nondiscrimination Policy](#) as well as other applicable University officials will work with Students and Employees to provide reasonable supportive services and resources. In those circumstances, although there may be no sanction or action taken against the individuals engaged in the protected speech activity, reasonable supportive and other measures will be provided.

Whether harassing conduct creates an unlawful hostile environment must be determined from the totality of the circumstances. Relevant factors for consideration may include, but are not limited to, the context, nature, scope, frequency, duration, and location of the harassment based on race, color, or national origin, as well as the identity, number, age, and relationships of the persons involved. The less pervasive the harassing conduct, the more severe it must be to establish an unlawful hostile environment. For example, in most cases, a single isolated incident would not be sufficient to establish a policy or legal violation. However, in some cases, a hostile environment requiring appropriate responsive action may result from a single severe incident.

### **B. Violations, Enforcement, Sanctions, and Discipline**

The University aims to foster open and rigorous debate, to protect academic freedom and free speech,

and to promote discourse, even on the most challenging, sensitive, and controversial issues. While fostering the free exchange of ideas, the University must also pursue and protect its core functions – to teach, engage in research and scholarship, promote the arts and athletics, convene the community, and perform its everyday operations. This includes ensuring that University community members are protected from physical injury and unlawful behaviors, and that University Property is protected from property damage.

Violations of this Policy, and/or applicable federal, state, or local laws, will lead to intervention by the University and, if safety to persons or property is at stake, law enforcement. Each member of the University community is expected to know and follow this Policy and the applicable Campus Addendum. Disrupting University operations is not permitted, including but not limited to, conduct that unreasonably interferes with the activities of other persons; causes injury to persons or property or threatens to cause such injury; holding meetings, events, or demonstrations under circumstances where health and safety is endangered; or knowingly interfering with unimpeded movement on University Property or with University operations.

In the event of violation, those found in violation will be directed to comply with applicable University regulations by appropriate University authorities. When enforcing this Policy, an officer or Employee authorized to maintain order on University Property will make a reasonable attempt to warn and advise those violating this Policy or the law to cease the prohibited conduct or activity before citing and/or arresting them, except where the violating conduct appears to create a threat or imminent threat to the health and safety of persons, or to University Property, and immediate law enforcement action is necessary.

If a violation persists or is repeated, or if the activity or assembly poses an imminent danger to public safety or University Property, those involved in the activity may be required to disperse immediately. Violations of this Policy may result in arrest, Code of Conduct disciplinary measures for Students, discipline for Employees, and subsequent legal action by the University. If a violation occurs at a scheduled and permitted event, permission for the event may be summarily withdrawn.

## ***1. Withdrawal of Consent and Removal from University Property***

**For Students and Employees:** To maintain order on University Property, when a Designated University Official has reasonable cause to believe that a Student or Employee has willfully disrupted the orderly operation of the University, the Designated University Official may notify that Student or Employee that consent to remain on University Property has been withdrawn. The University shall follow the notification and procedure requirements set forth in Cal. Penal Code section 626.4.

**For Non-Affiliates:** To maintain order on University Property, when a Designated University Official has reasonable cause to believe that a Non-Affiliate has willfully disrupted the orderly operation of the University, the Designated University Official may notify the Non-Affiliate that consent to remain on University Property has been withdrawn. The University shall follow the notification and procedure requirements set forth in Cal. Penal Code section 626.6.

## 2. Student Discipline

Students charged with violating this Policy may be subject to discipline pursuant to CSU's [Standards for Student Conduct](#) (Student Conduct Code) as set forth in Title 5, California Code of Regulations, section 41301, and CSU's [Student Conduct Process](#). Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate sanctions. The procedure for all student conduct violations is set forth in CSU's [Student Conduct Process](#). Sanctions may include restitution, loss of financial aid, educational and remedial sanctions, denial of access to Campus or persons, disciplinary probation, suspension, and expulsion, and can include multiple sanctions. A Campus President may also impose an interim suspension pursuant to Title 5, California Code of Regulations, section 41302 where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order.

Alleged violations of the Student Conduct Code may include, but not be limited to, the following:

- a. Unauthorized entry into, presence in, use of, or misuse of University property.
- b. Willful, material, and substantial disruption or obstruction of a University-related activity, or any on-Campus activity.
- c. Participating in an activity that substantially and materially disrupts the normal operations of the University or infringes on the rights of members of the University community.
- d. Willful, material, and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to Campus property or an off-Campus University related activity.
- e. Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.
- f. Conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.
- g. Unauthorized destruction, or damage to University property or other property in the University community.
- h. Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the Campus president) on Campus or at a University related activity.
- i. Violation of any published University policy, rule, regulation, or presidential order.
- j. Failure to comply with directions or, or interference with, any University official or any public safety officer while acting in the performance of his/her duties.
- k. Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or wellbeing of members of the University community, to property within the University community or poses a significant threat of disruption or interference with University operations.

Students charged with violating the Student Conduct Code will be referred to the University's Student

Conduct Administrator who will follow CSU's [Student Conduct Process](#).

Recognized Student Organizations comprise a vital part of the Student experience and can contribute to Student success and engagement. Participation in these organizations affords Students the opportunity to develop organizational and leadership skills, foster capacities for effective teamwork, and promote civil engagement and community services, while connecting with peers, faculty, and staff. A University's recognition of a Student organization in accordance with CSU policy or administration of funds generated by the Student organization does not express or signify that the University approves or endorses the organization's goals, activities, or points of view, or that the University supervises or otherwise controls the organization and its activities. Nevertheless, and provided that a Student organization meets and maintains University requirements for recognition, Universities provide these organizations certain benefits and privileges (e.g., use of designated on-Campus facilities free of charge, funding opportunities, support for on-Campus program planning, and information regarding basic event management). Each University establishes and publishes its own procedures for formal chartering and recognition of Student organizations in compliance with CSU's [Student Activities Policy](#). **See the [Campus Addendum](#) for information regarding a specific University's Recognized Student Organization policies and procedures.**

Official recognition of Student organizations that fail to abide by the open membership policy or that discriminate in violation of applicable University policy shall be withdrawn. In addition, official recognition of a Student organization may be withdrawn for hazing or conspiracy to haze, as well as any violation of any CSU policy. Each University has established standards for Recognized Student Organizations and procedures for imposing consequences for organizations found to be in violation of University standards. Consequences are intended to be educational in nature, and may include, but are not limited to, withdrawal of recognition, suspension for a specified period of time, probation (warning that might lead to a more severe consequence), restriction of University privileges, reprimand, and restitution for losses caused. Further, Campuses may stipulate conditions on how a Recognized Student Organization may regain recognition (if permitted under the circumstances). Each University retains authority to include additional requirements for recognition and/or to make the requirements listed here more limiting.

Students may also be individually disciplined under the [Student Conduct Process](#) for misconduct engaged in as part of a Recognized Student Organization.

### ***3. Employee Discipline***

Employees charged with violating this Policy may be subject to discipline, up to and including termination, in accordance with the applicable Collective Bargaining Agreement and University policies for represented Employees, or the applicable University policies and standards for non-represented Employees, and Cal. Education Code section 89535 which provides that any permanent or probationary CSU Employee may be dismissed, demoted, or suspended for (a) immoral conduct, (b) unprofessional conduct, and/or (c) failure or refusal to perform the normal and reasonable duties of the position, among other causes as set forth in statute or applicable University policies.



## **4. Non-Affiliates**

Non-Affiliates who violate this Policy or applicable laws will be held accountable to the full extent of the University's authority under existing laws, regulations, and University policies, including, but not limited to removal from University Property pursuant to applicable Cal. Penal Code provisions, including but not limited to Cal. Penal Codes sections 626.4 and 626.6.

## **C. Withholding or Withdrawal of Approval**

The University may withhold or withdraw approval for any events or activities on University Property under this Policy if they are deemed inconsistent with:

1. Federal, state, or local laws.
2. Existing University policies.
3. Preservation of public safety.
4. Maintenance and protection of University Property.
5. Free flow of pedestrian and vehicular traffic.

## **D. CSU Emergency Management and Law Enforcement**

The Chancellor, for the Chancellor's Office, and the President, for each University, is delegated the responsibility for the development, implementation, and maintenance of an emergency management program and for ensuring compliance with CSU's [Emergency Management Policy](#) and CSU's [Emergency Operating Status Policy](#). All activities and events on University Property are subject to these policies. All CSU law enforcement activities are governed by [CSU Law Enforcement Policies](#) published by each University. Each situation is unique and may warrant involvement of law enforcement and/or activation of the Emergency Operations Center, as determined by Employees designated by the Chancellor or the President for these purposes.

## **XII. Educational Programs and Activities to Support the Balance Between Free Speech Activities, Educational Mission, and Student Safety**

See applicable [Campus Addendum](#).

## **XIII. Resources for Mental Health and Trauma Support for Employees and Students**

See applicable [Campus Addendum](#).

## **XIV. Designated University Official with Oversight, Implementation and Enforcement Responsibility, and Designated University Law Enforcement Liaison**

### **A. Designated University Official**

For the Chancellor's Office, the Chancellor, and for each University, the President, will designate an administrative Employee to serve as the Designated University Official with responsibility for oversight, implementation and enforcement of this Policy, including oversight of a training program for responsible Employees assigned to the response team, as well as communications and information for the broader University community (Students and Employees). The Designated University Official shall be a direct report to the University President, or to the Chancellor for the Chancellor's Office, or directly report to the Chancellor or President (as applicable) for purposes of oversight, implementation, and enforcement of this Policy.

This Designated University Official shall create and oversee an implementation process whereby a response team of responsible Employees is in place and able to mobilize on short notice. When members of the team are unavailable, they will designate a replacement Employee and let the Designated University Official with oversight responsibility know, and all responsible Employees will be trained and familiar with this Policy and applicable university rules and processes for responding to violations of this Policy. The Designated University Official will have an action plan in place that explains the various levels of responsible Employees to be mobilized in response to activities governed by this Policy. Agreements will be in place with local law enforcement and other agencies needed to come to the aid of the University to enforce this Policy, including arresting individuals who elect to disrupt the orderly operations of the University, refuse to disperse, and/or engage in trespass, vandalism, and/or violation of applicable criminal laws.

Oversight will also include reviewing after action information from incidents where this Policy was violated to improve processes, review the provision of support services to Students and Employees who may have been harmed by violations of this Policy, as well as reviewing disciplinary actions and sanctions brought against those who violate this Policy.

### **B. Designated University Law Enforcement Liaison**

Additionally, pursuant to Cal. Education Code section 66303, for purposes of promoting peaceful demonstrations, each University is required to designate an individual to serve as the Designated University Law Enforcement Liaison between law enforcement and Students exercising rights guaranteed by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution, or both. The Designated University Law Enforcement Liaison shall be an administrative Employee with applicable knowledge and expertise and shall be a member of the response team described above.

## XV. Definitions

**"Campus Addendum"** means each addendum incorporated with this Policy setting forth additional Campus-specific time, place, and manner regulations and other information related to this Policy applicable to the Chancellor's Office and each University. Along with this Policy, each [Campus Addendum](#) is intended to be the controlling document regarding the specific Campus's time, place, and manner regulations, and will supersede all previous time, place and manner regulations published by each Campus.

**"Campus"** shall mean any of the institutions included within the CSU, as specified in Cal. Educ. Code section 89001. "Campus" and "University" are used interchangeably throughout this Policy.

**"Chancellor"** means the Chancellor of the California State University and includes their official designees.

**"Content and Viewpoint Neutral"** means assessment and application to all expressive activities without regard to substance or message, and that the University cannot favor one speaker's message over another's.

**"Designated University Law Enforcement Liaison"** means the Campus official designated to serve as the liaison between Campus law enforcement and Students exercising rights guaranteed by the First Amendment to the United States Constitution or Section 2 of Article I of the California Constitution, or both. The Designated Law Enforcement Liaison shall be an administrative Employee and shall be a member of the response team.

**"Designated University Official"** means the Campus official delegated authority by the Chancellor for the Chancellor's Office and the University President for each University, as designated in each Campus Addendum, for implementation and oversight over this Policy.

**"Employee"** means a person legally holding a position in the CSU. This term includes full-time, part-time, permanent, tenured, probationary, temporary, intermittent, casual, and per-diem positions.

**"Limited Area"** means University Property that is available to the public but due to business operations, safety concerns, or other important University interests, is not open for purposes of assembling, marching, demonstrating or protesting. Activities in these areas may require scheduling and reservations with the University, and are available on a limited basis, subject to Campus regulations that are narrowly tailored to address the University's legitimate business interests. **See the applicable [Campus Addendum](#) for details regarding Campus-specific Limited Areas.**

**"Non-Affiliate"** means any person who is *not* any of the following: a Student, Employee, officer, trustee, auxiliary employee, official University volunteer, or member of a household authorized to reside on University Property.

**"Non-Public Area"** means, except for areas designated as Public Areas and Limited Areas, all remaining University Property, including the interiors of all buildings and facilities. These areas are not open to the public and the University can restrict access to Non-Public Areas on a Content and Viewpoint Neutral basis. **See the applicable [Campus Addendum](#) for details regarding Campus-specific Non-Public Areas.**

**"Public Area"** means University Property that is available for assembly, marches, demonstrations,

protests, and debate. Right of access and equality of access are provided in these areas, so long as activities are lawful and do not disrupt University operations. Content-based restrictions are prohibited, but reasonable time, place and manner regulations will be applied. Spontaneous activities may take place in Public Areas without pre-scheduling or reservations. **See the applicable Campus Addendum for details regarding Campus-specific Public Areas.**

**"Recognized Student Organizations"** are Student organizations addressed and defined in CSU's [Student Activities Policy](#), and does not include Student groups or clubs not officially chartered and recognized pursuant to CSU's [Student Activities Policy](#).

**"Student"** means applicants, enrolled Students, Students between academic terms, graduates awaiting degrees, Students on authorized leave, and Students who withdraw from school while a disciplinary matter is pending.

**"University"** means the Board of Trustees of the California State University (CSU), the Chancellor's Office, and each University within the CSU system, collectively and individually. "University" and "Campus" are used interchangeably throughout this Policy.

**"University President"** and **"President"** means those persons referred to as "Campus President" in California Code of Regulations, Title 5, Section 42355, and includes their official designees.

**"University Property"** means all land, buildings, facilities, or other grounds or structures, and any item, equipment, or property in possession of or owned, used, leased, maintained, or controlled by the University, by a recognized CSU auxiliary, or designated by the University as subject to this Policy, including property leased or licensed to University auxiliaries or others (including satellite campuses or other secondary locations). University Property also includes University and recognized CSU auxiliary services, resources, names, branding, trademarks, logos, computers, computing devices, websites, and network systems owned, maintained, or controlled by the University, funded by University funds, or recognized CSU auxiliary funds, or designated by the CSU as subject to this Policy.

## XVI. Authority

This policy is issued pursuant to [Section II of the Standing Orders of the Board of Trustees of the California State University](#), as further delegated by the [Standing Delegations of Administrative Authority](#). The Campus president may delegate authority and responsibility described in this policy to other Campus officials pursuant to [Section VI of the Standing Orders of the Board of Trustees of the California State University](#).

Cal. Education Code section 89031.

CSU Standards for Student Conduct, 5 California Code of Regulations, sections 41301-41302.

Use of CSU Buildings and Grounds, 5 California Code of Regulations, sections 42350-42356.

## **XVII. Campus Addenda**

[California State University Bakersfield](#)

[California State University Channel Islands](#)

[California State University Chico](#)

[California State University Dominguez Hills](#)

[California State University East Bay](#)

[California State University Fresno](#)

[California State University Fullerton](#)

[California State Polytechnic University Humboldt](#)

[California State University Long Beach](#)

[California State University Los Angeles](#)

[California State University Maritime Academy](#)

[California State University Monterey Bay](#)

[California State University Northridge](#)

[California State Polytechnic University, Pomona](#)

[California State University Sacramento](#)

[California State University San Bernardino](#)

[San Diego State University](#)

[San Francisco State University](#)

[San José State University](#)

[California Polytechnic State University San Luis Obispo \(updated 9/23/2024\)](#)

[California State University San Marcos](#)

[Sonoma State University](#)

[California State University Stanislaus](#)

[Office of the Chancellor \(updated 10/3/2024\)](#)

## **XVIII. Related Documents and Policies**

CSU [Nondiscrimination Policy](#)

CSU [Academic Freedom Policy](#)

CSU [Student Conduct Process](#)

CSU [Student Activities Policy](#)

CSU [Collective Bargaining Agreements](#)

CSU [Law Enforcement Policies](#)

CSU [Emergency Operating Status Policy](#)

CSU [Emergency Management Policy](#)

## XIX. Endnotes

<sup>1</sup>All capitalized terms are defined in the [Definitions](#) section.

### All Revision Dates

8/15/2024

### Attachments

[Campus Addendum Template.docx](#)

### Approval Signatures

Step Description	Approver	Date
Chancellor	Mildred García: Chancellor of the CSU [SH]	8/15/2024
EVC	Nathan Evans: Acting President of SSU	8/15/2024
Area Manager	Christina Cruz: Comm Spclst, Acad & Sdnt Affrs	8/15/2024
Owner	Dilcie Perez: Deputy Vice Chancellor ASA	8/15/2024